

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALLAN WEINSTEIN,	§	
	§	No. 17, 2006
Plaintiff Below,	§	
Appellant,	§	
	§	
v.	§	Court Below:
	§	Superior Court of the
JOHN ROBERTS, SHELLY ROBERTS,	§	State of Delaware in
BETHANY AUTO PARTS, INC., and	§	and for Sussex County
ROBERTS REPAIR SERVICE, INC.,	§	C.A. No. 04C-03-020
	§	
Defendants Below,	§	
Appellees.	§	

Submitted: September 13, 2006

Decided: September 14, 2006

Before **HOLLAND, BERGER** and **RIDGELY**, Justices.

ORDER

This 14th day of September, 2006, the Court, having considered the Superior Court bench ruling and Order dated December 12, 2005, the Corrected Order dated January 5, 2006, and the arguments and briefs of the parties, has determined that: to the extent the issues raised on appeal are factual, the record evidence supports the trial judge's factual findings; to the extent the errors alleged on appeal are attributed to an abuse of discretion, the record does not support those assertions; and to the extent that the issues raised on appeal are legal, they are controlled by settled Delaware law, which was properly applied. *Accord: Schnell v. Chris-Craft Industries, Inc.*,

Del.Supr., 285 A.2d 437 (1971); *Rossdeutscher v. Viacom, Inc.*, Del.Supr.,
768 A.2d 8 (2001).

NOW, THEREFORE, IT IS ORDERED that the judgment of the
Superior Court be, and the same hereby is

AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger
Justice